

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 37618

STATE OF IDAHO,)	2010 Unpublished Opinion No. 746
)	
Plaintiff-Respondent,)	Filed: December 20, 2010
)	
v.)	Stephen W. Kenyon, Clerk
)	
DAVID ROJAS-PERALTA,)	THIS IS AN UNPUBLISHED
)	OPINION AND SHALL NOT
Defendant-Appellant.)	BE CITED AS AUTHORITY
)	

Appeal from the District Court of the Fifth Judicial District, State of Idaho, Blaine County. Hon. Robert J. Elgee, District Judge.

Judgment of conviction and unified sentence of seven years and three months, with a minimum period of confinement of two years and three months, for aggravated battery, affirmed.

Molly J. Huskey, State Appellate Public Defender; Shawn F. Wilkerson, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Lori A. Fleming, Deputy Attorney General, Boise, for respondent.

Before GUTIERREZ, Judge; GRATTON, Judge;
and MELANSON, Judge

PER CURIAM

David Rojas-Peralta pled guilty to aggravated battery. Idaho Code § 18-903(a), 18-907(1)(b), 18-908. The district court sentenced Rojas-Peralta to a unified term of seven years and three months, with a minimum period of confinement of two years and three months. Rojas-Peralta appeals asserting the district court abused its discretion in sentencing.

Sentencing is a matter for the trial court's discretion. Both our standard of review and the factors to be considered in evaluating the reasonableness of the sentence are well established and need not be repeated here. See *State v. Hernandez*, 121 Idaho 114, 117-18, 822 P.2d 1011, 1014-15 (Ct. App. 1991); *State v. Lopez*, 106 Idaho 447, 449-51, 680 P.2d 869, 871-73 (Ct. App.

1984); *State v. Toohill*, 103 Idaho 565, 568, 650 P.2d 707, 710 (Ct. App. 1982). When reviewing the length of a sentence, we consider the defendant's entire sentence. *State v. Oliver*, 144 Idaho 722, 726, 170 P.3d 387, 391 (2007). Applying these standards, and having reviewed the record in this case, we cannot say that the district court abused its discretion.

Therefore, Rojas-Peralta's judgment of conviction and sentence are affirmed.